

Bullying, Undermining and Harassment: JCST policy statement

Healthcare is a demanding profession and the pressure we often work under affects our behaviour and how we treat and respond to others. We are not always aware of how our actions or comments are interpreted.

There are multiple definitions of the terms Bullying and Undermining, but the General Medical Council (GMC) uses the following:

- **Bullying** is behaviour that hurts or frightens someone who is less powerful, often forcing them to do something they do not want to do.
- **Undermining** is behaviour that subverts, weakens or wears away confidence.

The BMA says about harassment:

- **Harassment:** *The Equality Act 2010 defines harassment as unwanted conduct that is related to a protected characteristic (age, sex, disability, gender reassignment, race, religion or belief or sexual orientation) or unwanted conduct of a sexual nature. It has the purpose or the effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is unlawful.*

Bullying, undermining and harassment (BUH) have no place in surgery. Together with the surgical Royal Colleges, on whose behalf we work, the JCST is committed to tackling these behaviours and to creating positive working environments.

Working in an environment where BUH is tolerated is a risk to patient safety.

Such an environment reflects the culture at all levels. It is this culture that needs to change.

While our particular focus is on surgical trainees and trainers, we recognise that the problem is multi-layered. BUH may take place at all levels and in all directions.

The British Orthopaedic Trainee Association (BOTA) #CutItOut #HammerItOut initiative has played a valuable role in highlighting unprofessional behaviour as reported by trainees.

It should be clear, however, that such behaviour is not confined to one specialty alone – or indeed to any single group within the healthcare sector. The JCST's own surveys make this clear, as do those carried out by the GMC and within the NHS.

If the culture is to change, there is a need for clear leadership. While those at all levels have a role to play, senior members of the profession have a particular responsibility to lead by example and to act as champions. JCST members recognise and accept our own responsibility to do so.

Changing the culture will also involve robust reporting mechanisms, visible resources to increase awareness of what good and bad behaviours look like, zero tolerance of the bad and encouragement of the good.

All healthcare professionals should understand the mechanisms for reporting and resolving incidences of bullying and undermining, whether these take place within the workplace or – for trainees and trainers – within the wider training environment.

It must be clear, however, that constructive criticism is necessary to help trainees and others to develop and improve their skills, and in some circumstances more formal performance management may be necessary. This is also important for patient safety.

Equally, trainees should feel free to raise concerns and be confident that doing so will not have an adverse impact on their training.

The GMC's [Generic Professional Capabilities \(GPC\) framework](#) offers an important opportunity to embed positive behaviours and values in the curricula for surgery and all other areas of practice.

Trainees will need to demonstrate these behaviours and values in order to complete their training and trainers will need to be able to assess them – and, by extension, model them in their own practice.

These behaviours and values should form the basis of professional practice for all doctors throughout their careers.

Individuals who experience or witness bullying, undermining, harassment or discrimination should report this.

You should report any bullying, undermining, harassment or discrimination to your employer and/or to the relevant Statutory Education Body (HEE, HEIW, NES and NIMDTA). Concerns should be reported in a timely manner so they can be addressed in a timely way. There is support available to help trainees in a safe and confidential environment – who is chosen to speak to will vary and depends on the circumstances. This includes speaking with educational supervisors, Training Programme Director (TPD), Head of School, college tutors, Director of Medical Education, or Postgraduate Dean.

In addition to this, the Statutory Education Bodies, Trusts and Health Boards will all have their own policies which will be available to you. Sometimes you will find these policies under other headings such as Dignity at Work. In some situations you may need to speak to an additional organisation and further advice on who to speak to is available (see 'Useful links and resources' below).

The statement and resources consider the UK position on bullying, undermining, harassment or discrimination.

Useful links and resources

- Royal College of Surgeons of Edinburgh [Anti-bullying and Undermining Campaign](#) has a wide range of resources.
- Royal College of Surgeons of England has published [Guidance on Avoiding Unconscious Bias \(2016\)](#) and [Acting on Concerns \(2013\)](#).
- Royal College of Surgeons of England Confidential Helpline (24/7) tel: 0800 028 0199.
- Royal College of Obstetricians and Gynaecologists (RCOG) have produced guidance on improving workplace behaviours: [RCOG-Improving Workplace Behaviours](#). This includes [an undermining toolkit](#) produced in collaboration with the Royal College of Midwives (RCM).

- [ISCP Cultural Awareness Course](#). An ecourse to facilitate good team working.
- [Health Education England's \(HEE\). Supporting a safe environment for surgical training \(template letter, April 2022\)](#). A letter highlighting that support is available from HEE and Schools of Surgery.
[Health Education England \(HEE\)](#) wellbeing support.
- [Health Education and Improvement Wales \(HEIW\)](#) wellbeing support.
- [NHS Education for Scotland \(NES\)](#) wellbeing support.
- [Northern Ireland Medical and Dental Training Agency \(NIMDTA\)](#) wellbeing support.
- ASiT and BOTA, plus additional [trainee organisations and specialty associations](#) provide support for trainees and are a source of help:
 - Association of Surgeons in Training (ASiT) [consensus statement \(2013\)](#).
 - [British Orthopaedic Trainee Association \(BOTA\) #HammerItOut campaign and resources](#) (includes BOTA and BOA 'Culture and Diversity champions').
- [Advisory, Conciliation and Arbitration Service \(ACAS\)](#). Helpline for employment law or workplace advice tel: 0300 123 1100.
- Resources and support services from the [British Medical Association](#).
- Information about the [Freedom to Speak Up Guardian](#) including the Directory of Guardians (England resource).
- Tools and resources from [NHS Employers](#).
- Further advice, including advice on contacting a regulatory body:
 - General Medical Council provide information on the duties of a doctor, including [Good Medical Practice](#) and additional [guidance on raising concerns \(2012\)](#). GMC helpline tel: 0161 923 6399.
 - [Medical Defence Union](#).
 - [Protect](#) (charity). National Whistleblowing Helpline tel: 020 3117 2520.

*For trainees in the **Republic of Ireland**, see resources from the Royal College of Surgeons in Ireland:*

- Royal College of Surgeons in Ireland. [Dealing with Inappropriate Behaviour](#) and [trainee resources \(health and wellbeing\)](#).

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